

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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ALEXIS GURSHIN,
Plaintiff,
vs.
BANK OF AMERICA, NATIONAL
ASSOCIATION,
Defendant.

2:15-cv-00323-GMN-VCF
ORDER CLARIFYING MINUTE ORDER
ECF NO. 93

Before the Court is Plaintiff's Request for Correction of Court Minute Order (ECF No. 97).

On July 26, 2016, the court held a hearing addressing a number of discovery issues and entered a detailed minute order. (ECF No. 93). On August 9, 2016, Plaintiff filed a “Request for Correction of Court Minute Order (ECF N0. 93), which is entered on the Docket as Motion to Amend/Correct Minute Order (ECF No. 93). At issues is asentence in the first line of the second paragraph, “The court will not allow the plaintiff to provide pictures to the jury.”

Should this case go to trial, the trial judge has complete control over what evidence is presented to the jury. Consistent, with FED. R. CIV. P. 54(b), “[a]ny order or other decision, however designated, that adjudicates fewer than all claims or the rights and liabilities of fewer than all the parties . . . may be revised at any time before entry of a judgment adjudicating all the claims and all the parties’ rights and liabilities.” My comments regarding showing pictures of the workplace to the jury were made in the context of encouraging the parties to work toward a stipulation regarding plaintiff’s workplace setting, which could include an agreement by defendant not to introduce photographs or diagrams to rebut the agreed characterization of the workplace setting. Absent such a stipulation, the trial judge will decide the admissibility of photographs, diagrams or any other evidence proffered, subject to objections based on the

1 Rules of Evidence and Civil Procedure. The sentence at issue in ECF No. 93 in no way inhibits Chief
2 Judge Navarro's discretion to admit or exclude evidence at trial.

3 Accordingly, the Motion to Amend/Correct Minute Order (ECF No. 93); ECF No. 97; is
4 GRANTED to the extent that this order clarifies the meaning of the sentence at issue.

5 DATED this 17th day of August, 2016.

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8 CAM FERENBACH
9 UNITED STATES MAGISTRATE JUDGE
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